

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Stephen J. Brown
Serial No.: 10/605,228
Title: PATIENT CONTROL OF HEALTH-RELATED DATA IN
A REMOTE PATIENT MONITORING SYSTEM
Filed: September 16, 2003
Attorney Docket No.: 7553.00096 / 03-0920
Examiner: Frenel, V.
Art Unit: 3687
In Response To: Office Action mailed April 22, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Health Hero Network, Inc. is the owner of one hundred (100) percent interest in the above-identified application for a United States Patent. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any United States Patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any United States Patent granted on pending second United States Application No. 10/605,223, filed on September 16, 2003. The owner hereby agrees that any United States Patent so granted on the above-identified application shall be enforceable only for and during such period

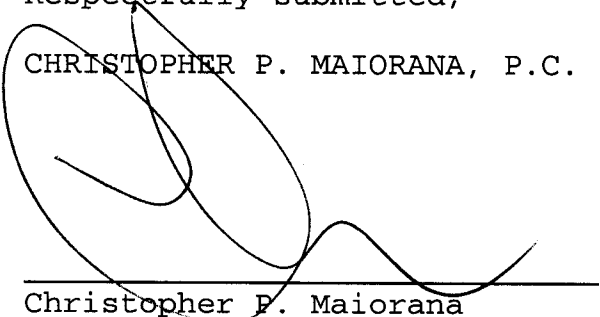
that it and any United States Patent granted on the second application are commonly owned. This disclaimer is to run with any United States Patent granted on the above-identified application and is to be binding upon grantee, its successor or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any United States Patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any United States Patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted United States Patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated in any manner prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record and is empowered to act on behalf of the owner. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

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